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General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

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I. Introduction

1. In its resolution 72/35 on conventional arms control at the regional and subregional levels, the General Assembly decided to give urgent consideration to this issue, and requested the Secretary-General to seek the views of Member States on the subject and to submit a report thereon to the Assembly at its seventy-third session. Any views received after 15 May 2018 will be posted on the website of the Office for Disarmament Affairs[1] in the language of submission. No addenda will be issued.

II. Replies received from Member States

Armenia

[Original: English]
[9 April 2018]

An effective and functioning conventional arms control regime is essential for military transparency, predictability and security at the international, regional and subregional levels. Lack of transparency leads to mistrust and instability. In this regard, full and all-weather implementation of conventional arms control agreements and adherence to the guiding principles of the arms control regime, namely, transparency, sufficiency, verification and limitation, are necessary.

The Treaty on Conventional Armed Forces in Europe is one of the pillars of security and stability in Europe. Its implementation has promoted an unprecedented and wide-scale disarmament process in Europe and the growth of transparency in the conventional arms-control sphere. The Treaty has played a vital role as a stabilizing factor during the transition period in the European security environment.

Armenia is actively participating in the Structured Dialogue within the framework of the Organization for Security and Cooperation in Europe (OSCE), which is an informal platform for discussions on the avenues of strengthening and revitalizing the conventional arms control regime in Europe. The principled position of the Armenian side is that any new conventional armed regime should be based on a legally binding document, which must be of an "all-weather" nature and its implementation not be subject to any condition.

Agreed OSCE confidence- and security-building measures, such as the Vienna Document on Confidence- and Security-Building Measures, Global Exchange of Military Information, Code of Conduct on Politico-Military Aspects of Security and Stabilizing Measures for Localized Crisis Situations, are important and mutually reinforcing tools to enhance transparency and confidence, thus contributing to regional security and stability.

Armenia is committed to the maintenance of the legally binding conventional arms control regime in Europe and fully complies with its obligations on force limitations, on-site inspections and exchange of information on its armed forces under the Treaty.

During 2017, Armenia received, in total, 10 inspections and evaluation visits under the Treaty, the Vienna Document and bilateral arrangements, the reports of which have testified to Armenia's compliance with the letter and spirit of the above-mentioned documents. The Armenian side has provided all opportunities for the inspection teams to conduct their activities in an efficient and transparent manner. Armenia has ensured a high level of transparency and openness with regard to the

[1] www.un.org/disarmament.

military exercises and has voluntarily notified exercises below threshold in line with its commitments under the Vienna Document.

Armenia is concerned about systematic violations of the conventional arms control regime by Azerbaijan, which further endangers the volatile security environment of the region.

The massive and destabilizing accumulation of heavy weaponry and unnotified large-scale military exercises by Azerbaijan in contradiction with its legal obligations and political commitments raise serious security concerns and pose a direct threat to the whole region.

As of 1 January 2018, according to the official information provided by Azerbaijan, it significantly exceeds its ceilings in four of five categories of major conventional arms established by the Treaty, namely, in battle tanks (524, permitted ceiling is 220), armoured combat vehicles (387, permitted ceiling is 220), artillery (961, permitted ceiling is 285) and attack helicopters (57, permitted ceiling is 50).

A large portion of the armed forces of Azerbaijan is excluded from any verification activities in violation of the Treaty provisions, which puts into question the credibility of the data provided by Azerbaijan. Azerbaijan does not allow inspections of 10 of the 29 brigades of its armed forces. Inspections of 5 other brigades, located in Nakhijevan Autonomous Republic, are allowed under the precondition of notifying the intention to inspect 10 days in advance, which undermines efficiency of inspections and turns the territory of Nakhijevan into a grey zone. This provides Azerbaijan with the possibility to concentrate a large amount of unverifiable forces and military equipment near the State borders of Armenia and along the line of contact with Nagorno-Karabakh.

The violations of the Treaty and the OSCE confidence- and security-building measures have been accompanied by military provocations and violations of the ceasefire regime, established by trilateral ceasefire agreements of 1994 and 1995, bellicose rhetoric and the promotion of anti-Armenian hatred by the high-ranking officials of Azerbaijan. The highest leadership of Azerbaijan openly claims almost the entire territory of Armenia, including its capital. Uncontrolled military build-up by Azerbaijan and hostile policy towards Armenia and Nagorno-Karabakh culminated in April 2016 with a large-scale military offensive unleashed by Azerbaijan against Nagorno-Karabakh. It resulted in grave violations of international humanitarian and human rights law, including atrocities and war crimes targeting civilian populations and military personnel.

Despite the incompliance of Azerbaijan to its obligations, which has negative security implications on the region and undermines the conventional arms control regime, Armenia will continue to strictly adhere to its international obligations and commitments in the sphere of arms control and confidence- and security-building measures.

Brunei Darussalam

[Original: English]
[14 May 2018]

Brunei Darussalam has pledged its commitment to supporting international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures towards the achievement of lasting global peace, security and stability.

Brunei Darussalam is not a party to international agreements to curb the proliferation of illicit firearms, nor has it signed or ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and

Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Firearms Protocol) or the Arms Trade Treaty. However, Brunei Darussalam has always remained concerned about the rise in the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world. It is also the country's policy to remain fully supportive of any efforts towards regional disarmament. That includes supporting conventional arms control initiatives as a measure to promote regional and international peace and security and supporting calls at the multilateral level, through information-sharing- and capacity-building, to prevent the diversion of conventional weapons to the illicit market and unwarranted parties.

Brunei Darussalam continues to prohibit and restrict the manufacture, import and export of all firearms, parts and ammunition by type. Possession of any firearms by civilians is prohibited, and any offences related to their possession or unlawful use will result in serious penalties.

Cuba

[Original: Spanish]
[8 May 2018]

Conventional arms control should be governed not only at the regional and subregional levels, but also at the global level, by the norms and principles of international law and the Charter of the United Nations. Furthermore, it should be carried out in strict respect for the sovereignty and territorial integrity of States and non-interference in their internal affairs, and the fulfilment in good faith of commitments assumed under international instruments.

The State should be the primary actor in the implementation of measures for control of its weapons. This is the most effective way of ensuring that the situation, interests, needs and characteristics of each country and region are taken into account. Respect for and recognition of such measures are essential for conventional arms control at the regional and subregional levels.

It is the prerogative of each State to determine what is and is not considered excess arms and whether to request assistance for the establishment and implementation of control measures. Initiatives for cooperation and assistance in this area are important, not only at the regional and subregional levels, but also at the global level. Moreover, controls should include weapons of mass destruction, which have much more devastating effects.

Under decree law No. 262 of 12 November 2008 on arms and ammunition, activities relating to conventional weapons are largely the responsibility of the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior. Both Ministries have the requisite internal regulations and mechanisms for rigorous and periodic control of stocks of these weapons and follow strict procedures to ensure the security of arsenals. The involvement of individuals in the sale and/or purchase of such weapons is not permitted in the national territory.

As a State party to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, Cuba has submitted its national reports on compliance, which describe the many control mechanisms available to the Cuban authorities to ensure the security of their weapons.

Cuban efforts for strict control of conventional weapons are part of the deep-seated national commitment to the Proclamation of Latin America and the Caribbean as a Zone of Peace.

El Salvador

[Original: Spanish]
[15 May 2018]

El Salvador has established as one of its priorities the promotion and strengthening of security at the national, regional and international levels, and is taking a comprehensive approach as part of a policy of justice, security and public harmony, based on full respect for and guarantee of human rights, with the purpose of controlling and eradicating illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials, in view of their close connection with various criminal activities such as terrorism, transnational organized crime, drug trafficking, and the activities of youth gangs or *maras*, among other types of crime which seriously endanger the fundamental rights of the people and also affect the well-being of society, economic and social development, and the right of our peoples to live in peace.

The Government of El Salvador is making enormous efforts, together with countries of the region, particularly the countries of the Central American Integration System, to ensure security both in Salvadoran territory, and in the Central American region, and to strengthen arms control in order to counter illicit trafficking in and irresponsible use of firearms in a comprehensive and effective manner, through mutual cooperation in criminal investigations, strengthening of the systems for registration and control of firearms, exchange of information for the monitoring of arms trafficking, training, technological provision and supply, as well as improved coordination, standardization and implementation of international, regional and national instruments concerning firearms.

In this regard, El Salvador relies on the various international instruments for control of trafficking in conventional weapons such as the Arms Trade Treaty, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition of the United Nations Convention against Transnational Organized Crime, among others, as effective means to support our efforts in strengthening control of conventional weapons, by promoting joint cooperation with other countries in order to build synergies and contribute to the reduction of armed violence at the national, regional and global levels.

The Government of El Salvador has undertaken the establishment of a national council for public security and harmony and the formulation of the Safe El Salvador plan, which were the outcome of a process of broad public consultations and participation. The Safe El Salvador plan, which enjoys broad support among Salvadoran society, provides for the implementation of multiple priority actions in the short, medium and long term to address violence and crime and guarantee access to justice and the care and protection of victims, with a special focus on prevention and in full respect for the human rights of the affected population.

For El Salvador, it is of vital importance to continue participating in all regional or multilateral discussions, forums or negotiations at which this topic is taken up, with a view to the strengthening and effective implementation of the main international instruments and initiatives in the area of arms control.

Lebanon

[Original: Arabic]
[8 May 2018]

The army leadership suggests refraining from setting forth limitations or restrictions on conventional weapons in the army for reasons of Lebanese national security (the state of war with the Israeli enemy). It notes the following principles that can serve as a framework for regional agreements on conventional arms control:

- The authoritative resolutions adopted by the United Nations should be duly complied with, and the Charter should be respected.
- The resolution of international disputes, in particular the Arab-Israeli conflict, must be given priority.
- States are equal in terms of sovereignty and territorial integrity. It is important to prevent an arms race and build confidence.
- Agreement should be reached on a clear and comprehensive definition of conventional arms.
- All concerned regional States should remain compliant with a view to precluding any repetition of the double standards applied in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. States should be held accountable in the event of non-compliance.
- The manufacture and transfer of arms should be controlled, and the smuggling of and illicit trafficking in arms should be suppressed in order to ensure that they do not fall into the hands of terrorists.
- Legislation should be enacted at the regional and international levels in order to limit the proliferation of such weapons, while allowing for the possibility of their individual or collective use to resist occupation or defend territory.
- Multilateralism should be strengthened as a means of furthering negotiation on arms regulation and disarmament.
- The technological superiority of several States, notably in the area of "smart" weapons and munitions, might allow them to circumvent international law.

Madagascar

[Original: French]
[15 May 2018]

Strengthening of control of manufacture, trade, circulation, transfer, possession and use, in accordance with the Convention of the Economic Community of West African States on small arms and light weapons, their ammunition and other related materials, the Protocol on the control of firearms, ammunition and other materials of the Southern African Development Community and the Central African Convention for the control of small arms and light weapons, their ammunition, parts and components that can be used for their manufacture, repair or assembly.

Peru

[Original: Spanish]
[15 May 2018]

Article 165 of the Constitution of Peru stipulates that the primary role of the armed forces is to guarantee the independence, sovereignty and territorial integrity of

the Republic, and article 171 provides for the participation of the armed forces in the country's economic and social development and in civil defence, in accordance with the law.

Pursuant to that legal framework, in order to fulfil their mission, the armed forces and the procurement agency for the armed forces acquire a certain number of conventional weapons to replenish existing stocks of weapons and for counterterrorist activities in the Valles de los Ríos, Apurímac, Ene and Mantaro area.

In recent years, the naval forces of Peru have been involved in the construction and acquisition of multipurpose, oceanographic and maritime patrol vessels, and also aircraft and *Plataformas Itinerantes de Accion Social* [ships for providing itinerant social services] which are designed for logistical support, scientific activities, maritime patrols, social service activities in the Amazon area and disaster preparedness.

Portugal

[Original: English]
[15 May 2018]

Portugal, in compliance with the new directive on the control of the acquisition and possession of firearms, Directive (EU) 2017/853 of the European Parliament and of the Council of 17 May 2017, has initiated a project to transpose into national law the new European Community rules, new rules for firearms collectors and the issue of intermediaries. On the other hand, the new directive presupposes tighter rules for museums with firearms.

Also, with regard to European regulations, Portugal is actively involved in different working groups, with a view to creating a set of rules at the European Union level, so that it is increasingly safe to be able to stop acquisition of a firearm by or transfer of a firearm to a particular country or transfer of a firearm from one European Union country to another.

This year, the Commission Implementing Regulation (EU) 2018/337 of 5 March 2018 amending Regulation (EU) 2015/2403 laying down common guidelines on decommissioning standards and techniques was irreversible in the destruction of decommissioned firearms. Other working groups at the European Union level are currently under way to implement new rules for the marking of firearms in order to make these weapons safer at the level of their control.

A working group is also under way to exchange and share information on transfers of firearms and refusals to grant arms licenses towards a better understanding in European Union countries with regard to refusals of the granting of licences.

All these situations aim to achieve a very significant improvement in the control of arms and ammunition in the national territory, according to best practices at the European Union level.

A project on the implementation of a weapons and ammunition test bank is also under way and will be ready by 2019 It will increase the quality and control of weapons introduced into Portugal; Portugal recommends this test bench in terms of getting certification under the Permanent International Commission for the Proof of Small Arms. Arms control efforts have been one of the cornerstones of the international community security environment. Portugal shares international community' concerns about the growing tendencies on the dissemination of conventional arms, and, bearing in mind the historical testimonies on this subject, Portugal considers that non-proliferation and disarmament are matters of grave importance in the promotion of peace and security in a global context and,

specifically, in regional and subregional contexts, and supports the implementation of various confidence- and security-building measures, which include the Vienna Document, the Treaty on Open Skies and the humanitarian demining goals of the Ottawa Convention.

Ukraine

[Original: English]
[8 May 2018]

Ukraine recognizes the importance of conventional arms control, including at the regional and subregional levels and, accordingly, welcomes all relevant measures in this field.

This commitment has been reinforced by Russia's uncivilized behaviour, which has maliciously put conventional arms control in Europe into a state of impasse, thus ensuring an erosion of trust and confidence in the military field, challenging the very essence of the architecture of contemporary European security as well as verifiable security- and confidence-building embodied in conventional arms control and related confidence- and security-building measures.

Ukraine is a long-term, responsible participant in pan-European and complementary bilateral conventional arms control and related confidence-building instruments, such as the Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies and the Vienna Document of the Organization for Security and Cooperation in Europe on confidence- and security-building measures. Ukraine is also a participant in bilateral agreements on confidence- and security-building measures with neighbouring Hungary, the Republic of Poland, the Slovak Republic, the Republic of Belarus and Romania. Notwithstanding the increase in the burden on Ukraine's armed forces caused by Russia's aggression, Ukraine continues to comply with its obligations under the above-mentioned international instruments.

The case of Ukraine as a victim of Russia's aggression is a reminder of the urgent need to revitalize and improve conventional arms control in order to strengthen its capability to better address the existing security challenges in the areas of application.

Ukraine's case also compels a periodic assessment of the relevance, strengths and weaknesses of conventional arms control tools used by participating States, without waiting for acts of aggression.

Ukraine considers that conventional arms control should, first, deal with the traditional categories of conventional armaments with a view to spreading control over new categories; have as many participants as possible and cover as large an area as possible; be transparent to the maximum extent possible through information exchange and verification intrusiveness; preferably be legally binding; be free from ambiguities in interpretation; be periodically evaluated by parties for viability, effectiveness and the possibility of further enhancement and modernization; be free from spheres of influence as well as such things as a "veto" vote, especially when it comes to aggression. The above-mentioned approaches may enable interested parties to make progress in moving closer to peace and security throughout the area of application of confidence- and security-building measures in the field of conventional arms.